

**SPECIAL ORDER 2018-01**  
**BODY WORN CAMERA SYSTEM**  
**Issued – March 29, 2018**  
**Effective – March 29, 2018**  
**Expires – When Rescinded**

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*Purpose and Organization Philosophy Regarding Use*

The use of body-worn audio/video recording devices (BWC) in the operational police environment provides a potentially valuable resource for law enforcement agencies in the delivery of services. BWC's allow for accurate documentation of police and public contacts, arrests and critical incidents. They serve to enhance the accuracy of officer's reports and testimony in court. Additionally, information collected through this technology can be critical in the investigation of criminal incidents and complaints against employees.

*Requirements and Restrictions for Activation and Deactivation*

BWC equipment is issued primarily to uniformed personnel as authorized by this agency. Officers who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisory personnel. Police personnel shall only use BWC's issued by our department. This policy does not govern the use of surreptitious recording devices used during undercover operations.

Officers shall activate the BWC system to record ALL contacts with citizens in the performance of official duties upon receiving a call for service or engaging in official duty. The BWC system shall remain activated until the event is completed in order to ensure the integrity of the recording. The BWC activation shall be documented on the report supplement. BWC recordings are not a replacement for written reports.

Officer safety and public safety take precedence over recording of events. Under extenuating circumstances, utilization of the BWC system may not be possible; example: ambush, assault on a police officer, compromising the tactical advantage of the police. Officers are not required to inform citizens they are recording an event and will not cease recording in the event the citizen requests it. If an officer fails to activate the BWC, fails to record the entire contact or interrupts the recording, the officer shall document why a recording was not made, was interrupted or was terminated. This documentation shall be included on the report supplement.

BWC's shall be used only in conjunction with official law enforcement duties. The BWC shall not be used to record:

- Communications with other police personnel without the permission of the Chief of Police;
- Encounters with undercover officers or confidential informants;
- When on break or otherwise engaged in personal activities; or
- In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room *unless* the event is in the performance of official duties and it occurs in these locations;

- Inside an officer's home or residence, unless they are summoned there for a law enforcement purpose.
  - During any call for service audio may be muted for discussion/briefs regarding tactics or strategies.
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Citizens shall not be allowed to review recordings at the scene.

#### *Criminal and Administrative Use of Camera Captured Data*

The BWC equipment and all data, images, video and mega data captured, recorded or otherwise produced by the equipment is the sole property of the agency. Members of the department may not copy, publish, share or disseminate any audio, video, image or data to anyone except as authorized by the department. Furthermore, members of the department may not edit, delete or alter any video or audio captured by the BWC or stored on the department's network or approved storage media without the written authorization and approval of the Chief or his/her designee. The requirement for written authorization does not apply in the case of a request for recordings originating from Prosecutor's Office employees or other law enforcement agencies as part of a court proceeding or an official investigation.

Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes or civil litigation.

It is recognized that uses of force which result in the serious injury or death of a suspect may have an element of the investigation which could be handled by outside criminal justice agencies (i.e. Prosecutor's Office, Grand Jury Investigation), and this could be construed as a criminal investigation.

- An officer may review recordings as part of any casework or use of force investigation, to assist them with the completion of an accurate report.
- Critical incidents or use of force investigations involving injury or death of a suspect, the recording will first be viewed with the Investigations Lieutenant or the Chief's designee.
- Officers are restricted from viewing recordings in the event that criminal wrongdoing is overt and obvious.
- If an officer is suspected of wrongdoing which may result in criminal prosecution, the department reserves the right to limit or restrict an officer from viewing a video file.

Requests for deletion of portions of the recordings (i.e., in the event of a personal recording) must be submitted in writing and approved by the Chief or his/her designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.

### Data Storage and Retention Requirements

All files shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier and assigned officer.

Files should be securely stored in accordance with state records retention laws and no longer than useful for purposes of training or for use in an investigation or prosecution. In capital punishment prosecutions, recordings shall be kept until the offender is no longer under the control of a criminal justice agency.

An officer may request that a BWC recording be archived and retained beyond the prescribed retention period. BWC recordings will be considered for archival if the recording is required for a criminal investigation/prosecution, internal investigation, pending civilian complaint, pending disciplinary matter or other circumstance deemed appropriate by the Chief of Police or his/her designee.

Biometric Searches: Stored video and audio from BWC shall not be used to create a database or pool of mugshots, for fillers in photo arrays, or searched using facial recognition software. This does not prohibit the agency from using recognition software to analyze the recording of an incident when the reasonable suspicion exists that a specific suspect or person in need of assistance may be a subject of a recording.

### Equipment Maintenance and Inspection Procedures

BWC equipment is the responsibility of individual officers and will be used with reasonable care to ensure proper functioning. Officer will wear all supplied components of the BWC systems and ensure that it is properly positioned to record all events. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning.

Equipment malfunctions, damage, or a unit being unaccounted for shall be brought to the attention of the officer's supervisor as soon as possible. Supervisors shall conduct an immediate investigation when notified and make written documentation of their findings as well as action taken.

### Training Requirements for Users and Supervisors

Police personnel who are assigned BWC's must complete an agency approved and/or provided training program to ensure proper use and operations. Training shall include a documented review of policy. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment and to incorporate changes, updates or other revisions in policy and equipment.

Newly hired personnel and personnel newly appointed to any supervisory capacity shall have documented training during field training. The documentation shall be made on the appropriate Field Training Task sign off sheet.

Requirements for Documented Review of Camera Captured Data

At least bimonthly, the supervisor will randomly review fifteen minutes of each of the assigned officer's BWC recordings to ensure that the equipment is operating properly and that officers are using the devices appropriately and in accordance with policy and to identify areas in which additional training or guidance is required. This review shall be documented in Guardian Tracking.